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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 TROY BENSON, an individual,

13 Plaintiff,

14 vs.

15 LAS VEGAS METROPOLITAN POLICE
16 DEPARTMENT, in its official capacity; and
17 JOSEPH LOMBARDO, individually and in
18 his official capacity as Sheriff of the Las
19 Vegas Metropolitan Police Department,

20 Defendants.

21 MARY BENSON, an individual,

22 Plaintiff,

23 vs.

24 LAS VEGAS METROPOLITAN POLICE
25 DEPARTMENT, in its official capacity;
26 and BRET EMPEY, in his official capacity
27 as a Sergeant of the Las Vegas Metropolitan
28 Police Department, and as an individual,

Defendants

Case. No.: 2:21-cv-01928-RFB-BNW

**STIPULATION AND ORDER TO
CONTINUE AND RESET 05/05/2022
EARLY NEUTRAL EVALUATION
SESSION [ECF No. 36]**

(THIRD REQUEST)

Case. No.: 2:19-cv-01949-RFB-VCF

**STIPULATION AND ORDER TO
CONTINUE AND RESET 05/05/2022
EARLY NEUTRAL EVALUATION
SESSION [ECF No. 36]**

(THIRD REQUEST)

23 Plaintiffs' TROY and Mary BENSON, and Defendants LAS VEGAS
24 METROPOLITAN POLICE DEPARTMENT AND JOSEPH LOMBARDO (collectively
25 "Parties") by and through their respective counsel, hereby stipulate to the following:

26 IT IS HEREBY STIPULATED that, at the initiation of Plaintiff's undersigned
27 counsel, the Early Neutral Evaluation Session, which is currently set for May 5, 2022, at
28 10:00 a.m. by ECF No. 36 before United States Magistrate Judge Daniel J. Albregts be

1 vacated. The parties require more time to prepare their written Early Neutral Evaluation
2 statements. In addition, Ms. McLetchie has competing obligations with her upcoming
3 wedding and has also had several competing deadlines in other matters. The Parties
4 respectfully request the Court grant their stipulation to continue the Early Neutral Evaluation
5 Session for all these reasons.

6 IT IS FURTHER STIPULATED that the following three (3) alternative dates have
7 been confirmed by all parties and their counsel to be available for rescheduling the Early
8 Neutral Evaluation Session at the Court's convenience:

- 9 1. July 18th, 2022;
10 2. July 19th, 2022; and
11 3. July 28th, 2022.

12 With this resetting, the parties will be submitting their confidential written Early
13 Neutral Evaluation statements for the Court's *in camera* review ten (10) days prior to the
14 Early Neutral Evaluation Session, and agree to comply with all other aspects of the Court's
15 Order Scheduling the Early Neutral Evaluation (ECF No. 20.)

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1 This request is made in good faith and is not sought for any improper purpose or
2 for the purpose of delay.

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4 **IT IS SO STIPULATED.**

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6 DATED this 9th day of May 2022.

7 **MCLETCHIE LAW**

8 /s/ Margaret A. McLetchie

9 Margaret A. McLetchie, NBN 10931
10 McLetchie Law
11 602 South Tenth Street
12 Las Vegas, NV 89101
13 *Attorneys of Plaintiff Troy Benson*

14

15 DATED this 9th day of May 2022.

16 **MARQUIS AURBACH**

17 /s/ Nicholas D. Crosby

18 Nicholas D. Crosby, NBN 8996
19 10001 Park Run Drive
20 Las Vegas, Nevada 89145
21 *Attorney for Defendants Las Vegas*
22 *Metropolitan Police Department and Joseph*
23 *Lombardo*

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25 **ORDER**

26 **IT IS ORDERED** that the Early Neutral Evaluation scheduled for May 5, 2022 is
27 VACATED and RESET to **Thursday, July 28, 2022 at 10:00 a.m.**

28 **IT IS FURTHER ORDERED** that the confidential evaluation statements must be
29 submitted by Noon on Thursday, July 21, 2022.

30 **IT IS FURTHER ORDERED** that all other provisions of the Court's prior Order
31 (ECF No. 20) entered in 2:21-cv-1928-RFB-BNW remain in effect.

32 DATED: May 10, 2022

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35 DANIEL J. ALBREGTS
36 UNITED STATES MAGISTRATE JUDGE